

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CREDIT SUISSE SECURITIES (USA) LLC,

Petitioner,

v.

THEODORE S. JABLONSKI, JR.,

Respondent.

AUG 31 2007

CHAMBERS OF
MERRILL LYNCH

Case No. 07 Civ. 6824 (WHP)

**STIPULATED ORDER OF
INJUNCTION AND DISMISSAL**

MEMORANDUM ENDORSED

WHEREAS, on July 30, 2007, Petitioner initiated this action, in which Petitioner seeks injunctive relief in aid of arbitration and alleges various claims arising out of the July 27, 2007 resignation of Respondent's employment with Petitioner and subsequent employment with Merrill Lynch, Pierce, Fenner & Smith, Incorporated;

WHEREAS, on July 30, 2007, Petitioner filed a request for mediation and arbitration with JAMS in anticipation of arbitration of Petitioner's above-referenced claims against Respondent pursuant to the terms of Petitioner's Employment Dispute Resolution Program;

WHEREAS, Respondent denies any wrongdoing or liability in relation to the foregoing; and

WHEREAS, the parties desire to fully and finally resolve this matter;

IT IS HEREBY STIPULATED and AGREED by and between the parties, through their respective undersigned counsel, and ORDERED that:

1. Respondent is enjoined, from July 30, 2007, through and including September 28, 2007 from (i) directly or indirectly soliciting, inducing or encouraging any employee of Credit Suisse and its parents and affiliates (the "Group"), or any consultant or independent contractor providing services to the Group, to leave the Group or to join or perform services for any other company, or (ii) directly or indirectly soliciting, inducing or encouraging

any entity or person who is a customer or client of the Group, or was a customer or client of the Group at any time during the six (6) months period preceding Respondent's termination of employment, to cease to engage the services of the Group in order to use the services of any entity or person that competes directly with a material business of the Group, where the identity of such customer or client, or the customer's or client's need or desire for or receptiveness to services of a type offered by the Group, is known by Respondent as a result of his employment with the Group, or with whom they had dealings and/or management responsibilities.

2. This action is dismissed with prejudice, except that the Court shall retain jurisdiction to enforce the terms of this Stipulation and Order.

Dated: New York, New York
August 30, 2007

CREDIT SUISSE SECURITIES (USA) LLC

By: 

Lori J. Pennay, Esq.

One Madison Avenue
New York, New York 10010
(212) 325-2000

Attorneys for Credit Suisse Securities (USA) LLC

GALLAGHER, HARNETT & LAGALANTE LLP

By: 

Louis M. Lagalante, Esq.

380 Lexington Avenue, Suite 2120
New York, New York 10168
(212) 983-9700

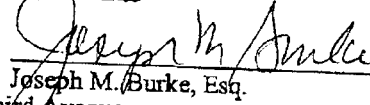
*The Clerk of the Court is
directed to mark this case closed.*
SO ORDERED:


WILLIAM H. PAULEY III U.S.D.J.

8/31/07

RUSO & BURKE

By:



Joseph M. Burke, Esq.

600 Third Avenue
New York, New York 10016
(212) 557-9600

Attorneys for Theodore S. Jablonski, Jr.

SO ORDERED

William H. Pauley, USDJ